

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARC SAINT CLAIR CHARLES,</b>	:	: <b>CIVIL ACTION</b>
<b>Plaintiff</b>	:	
	:	
v.	:	: <b>NO. 07-4151</b>
	:	
<b>MARK KRYSEVIG, et al.,</b>	:	
<b>Defendant</b>	:	

**ORDER**

**STENGEL, J.**

**AND NOW**, this 12th day of June, 2008, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge (Document #14), it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;<sup>1</sup>
2. The Petition for Writ of Habeas Corpus is **DENIED AND DISMISSED WITHOUT AN EVIDENTIARY HEARING.**
3. Petitioner's Motion for an Evidentiary Hearing (Document #11) is **DENIED.**

There is no probable cause to issue a certificate of appealability.

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<sup>1</sup>My approval of the Report and Recommendation is subject to one qualification. I note that on two occasions, the Report and Recommendation erroneously refers to the petitioner as "Mr. Nesbitt." (See R&R, 9 n.7, 10.) I adopt the Report and Recommendation with the understanding that the references were unintentional typos, and that Mr. Charles' name should appear in place of "Mr. Nesbitt."

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.